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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,237	12/01/2003	Chang-Chih Sung		3551

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EXAMINER

STAFIRA, MICHAEL PATRICK

ART UNIT	PAPER NUMBER
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2886

MAIL DATE	DELIVERY MODE
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03/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/726,237

Applicant(s)

SUNG, CHANG-CHIH

Examiner

Michael P. Stafira

Art Unit

2886

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6, 7, 12 and 16-18 is/are rejected.
- 7) ☒ Claim(s) 3-5, 8-11 and 13-15 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/003)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Paper No(s)/Mail Date. ____
- 6) ☐ Notice of Informal Patent Application.
- 7) ☐ Other: ____
- 8) ☐ Paper No(s)/Mail Date. ____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. In claim 1 it is unclear how the light source fixing device rotates about the shaft. From the examiner's interpretation of applicant's specification is that the light source can be moved along the axis of the shaft. Therefore, it is unclear to as to what is being rotated about the shaft which makes it unclear.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 6, 7, 12, 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Okahira et al. (2001/0002862).

Claim 1

Okahira et al. (2001/0002862) discloses a setting frame (Fig. 1, Ref. 2); a light source fixing device (Fig. 9, Ref. 321), comprising a space for receiving a light source (Fig. 9, Ref. 21) and a shaft (Fig. 9, Ref. 303); and a controlling device (Fig. 12, Ref. 505, 506, 504, 511) disposed on the setting frame (Fig. 12, Ref. 2) for moving a light guide plate (Fig. 12, Ref. 3) to be tested; wherein the light source fixing (Fig. 9, Ref. 321) device connects with the setting frame (Fig. 9, Ref. 2) through the shaft (Fig. 9, Ref. 303, 304), and can rotate about the shaft.

Claim 2

Okahira et al. (2001/0002862) further discloses the controlling device comprises a first axis adjustment device and a second axis adjustment device (Fig. 12, Ref. 509, 510, -Y, +Y).

Claim 6

Okahira et al. (2001/0002862) discloses a base plate (Fig. 9, Ref. 301, 302) for placement of the light guide plate (Fig. 9, Ref. 3) thereon.

Claim 7

Okahira et al. (2001/0002862) further discloses the controlling device comprises a first axis adjustment device and a second axis adjustment device (Fig. 12, Ref. 509, 510, -Y, +Y).

Claim 12

Okahira et al. (2001/0002862) discloses the controlling device comprises a first axis adjustment device (Fig. 12, Ref. -Y), a second axis adjustment device (Fig. 12, Ref. +Y) and a third adjustment device (Fig. 12, Ref. 502).

Claim 16

Okahira et al. (2001/0002862) discloses a setting frame defining a cavity therein (Fig. 9, Ref. 2); a light source (Fig. 9, Ref. 21) located on one side of the set frame (Fig. 9, Ref. 2); the setting frame (Fig. 9, Ref. 2) being equipped with a controlling device (Fig. 12, Ref. 509, 510, -Y, +Y) and said controlling device adjustably locating a moveable base plate (Fig. 9, Ref. 2) relative to the light source (Fig. 9, Ref. 21) along at least one direction; wherein said light source (Fig. 9, Ref. 21) is moveable relative to the setting frame (Fig. 9, Ref. 2) so as to be changeable with regard to a light guide plate (Fig. 9, Ref. 3) which is adapted to be seated upon the base plate 9 (Fig. 9, Ref. 2).

Claim 17

Okahira et al. (2001/0002862) discloses the light source (Fig. 9, Ref. 21) is rotatable along an axis (Fig. 9, Ref. 303) which is essentially parallel to a plane defined by said movable base plate (Fig. 9, Ref. 2).

Claim 18

Okahira et al. (2001/0002862) discloses a setting frame defining a cavity therein (Fig. 9, Ref. 2); a light source (Fig. 9, Ref. 21) located on one side of the set frame (Fig. 9, Ref. 2); the setting frame (Fig. 9, Ref. 2) being equipped with a controlling device and said controlling device (Fig. 12, Ref. 509, 510, -Y, +Y) adjustably locating a moveable base plate (Fig. 9, Ref. 2) relative to the light source (Fig. 9, Ref. 21) along at least two dimensions which together define a plane; wherein said light source (Fig. 9, Ref. 21) defines an opening from which light emits, and said opening essentially extends along an axis which is parallel to said plane (Fig. 9, Ref. 305, 306, 215, 216).

Allowable Subject Matter

7. Claims 3-5, 8-11, 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Stafira whose telephone number is 571-272-2430. The examiner can normally be reached on 4/10 Schedule Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tarifur Chowdhury can be reached on 571-272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael P. Stafira/
Primary Examiner
Art Unit 2886

February 25, 2008